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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,949	07/21/2004	Gad Talmon	014787.0005	8436
60/707 7590 08/21/2009 SPILMAN THOMAS & BATTLE PLLC C/O CPA Global P.O. BOX 52050 MINNEAPOLIS, MN 55402				
EXAMINER TORRENTE, RICHARD T				
ART UNIT		PAPER NUMBER		
2621				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/501,949

Applicant(s)

TALMON ET AL.

Examiner

RICHARD TORRENTE

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-6, 8-11, 13-24, 26, 27, 30-47, 49-55 and 57-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-6, 8-11, 13-24, 26, 27, 30-47, 49-55 and 57-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-949)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/1/09 has been entered.

Claim Objections

2. Claim 1 is objected to because of the following informalities: Improper alphabetical sequencing, step "c" is followed by "g". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-6, 8-11, 13-24, 26, 27, 30-47, 49-55 and 57-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolle et al. (US 2002/0062482) in view of Lipton et al. (US 2005/0146605).

Regarding claim 1, Bolle discloses a method for performing event detection and object tracking in an image streams (see fig. 8), said method comprising a) installing in field (see 110 in fig. 3), an image acquisition device (see 340 in fig. 3) for acquiring an image stream and comprising a local programmable processor (see 350 and 360 in fig. 3) for converting the acquired image stream, consisting of one or more images, to a digital format, and a local encoder (see 350 and 360 in fig. 3), for generating, from said image stream, non-image feature data (see 550 in fig. 5), said non- image feature data including parameters related to attributes of areas (see 560 in fig. 5) in said image stream, and for transmitting a non-image feature stream containing said features (see 360 in fig. 3); b) connecting said each image acquisition device to a data network (see 230 in fig. 4) through a corresponding data communication channel; c) connecting an image processing server to said data network (see 100 in fig. 3); g) detecting said event from analyzing said non-image feature stream by said image processing server (see 870 and 890 generated from 860 and 880 respectively in fig. 8; see P [0091]) and; h) transmitting, by said image processing server, indications regarding said event in said image streams to an operator (see 850 in fig. 8).

Although Bolle discloses wherein an event is defined as the occurrence of a type of activity (motion) which requires some type of action in response thereto (see displaying icons in 850 in response to motion of 820 and 830 in fig. 8), it is noted that Bolle does not disclose g) detecting said event from analyzing said non-image feature stream by said image processing server.

In the same field of endeavor, Lipton discloses f) detecting said event (see 44 of fig. 4) from analyzing said non-image feature stream (see 43 of fig. 4) by said image processing server (see 11 of fig. 1).

Given the teachings as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Lipton teachings of server event detection into Bolle event detection for the benefit of a centralize processing of multiple video sources, and to produce a real time alarm based on an automatic detection of an event from video surveillance data.

Regarding claims 2, 16 and 47, Bolle further discloses wherein the local encoder is a composite encoder (see fig. 4), being the local encoder that further comprises circuitry for compressing the image stream (e.g. see 430 in fig. 4), and further comprising: a) operating said composite encoder in a first mode (e.g. see 550 in fig. 5), during which it generates and transmits said non-image feature stream to said image processing server, and b) operating said composite encoder in a second mode (e.g. see 432 in fig. 4) responsive to detecting said events, during which it transmits to said image processing server, in addition to said non-image feature stream, at least a portion of said image stream in a desired compression level, according to commands sent from said image processing server (see 325 and 350 in fig. 3).

Regarding claims 4, 17, 33, 34 and 49, Bolle further discloses comprising decoding one or more compressed image streams containing events by said server

(see 355 in fig. 3), and transmitting the decoded image streams to the display of an operator for viewing (see 170 in fig. 3).

Regarding claims 5, 18, 39 and 54, Bolle further discloses comprising recording one or more compressed image streams obtained while said local encoder operates in said second mode (e.g. see 781 in fig. 7A).

Regarding claims 6, 19 and 55, Bolle further discloses comprising dynamically allocating additional image processing resources, in the server, to data communication channels that receive image streams (see allocating for various compression in fig. 4).

Regarding claims 8, 21, 41 and 57, Bolle further discloses comprising generating and displaying a graphical polygon that encompasses an object of interest, being within at least one of a frame of an image and an area of interest in said image (see 641 in fig. 6A).

Regarding claims 9, 22, 42 and 58, Bolle further discloses comprising generating and displaying a graphical trace indicating the history of movement of an object of interest, being within at least one of the frame of an image and an area of interest in said image (see fig. 8).

Regarding claims 10, 23, 43 and 59, Bolle further discloses wherein the image stream is selected from a group of images that comprises video streams, still images, computer generated images, pre-recorded digital video data and analog video data (see fig. 7).

Regarding claims 11 and 24, Bolle further discloses wherein the image streams are video streams, compressed using MPEG format (see P [0003]).

Regarding claims 13, 26, 44 and 60, Meyer wherein the non-image features data includes are at least one of: a motion features (see fig. 8).

Regarding claims 14, 27, 45 and 61, Bolle further discloses comprising performing, by the server, at least one of: Facial Recognition (FR) (see P [0013]), using the non-image feature stream received from the image acquisition device, through the data communication channel.

Regarding claims 15, 32, 35, 36, 38, 46, 50, 51 and 53, the claim(s) recite analogous limitations to claim 1, and is/are therefore rejected on the same premise.

Regarding claims 20 and 40, Bolle further discloses in which said portion of said image streams obtained while operating in the second mode, comprises only a portion of the image that corresponds to a desired area of interest (see fig. 8).

Regarding claims 30, 31, 37 and 52, Meyer wherein said non-image feature data further comprises a motion feature and said motion features is encoded in said feature stream only when said motion features exceeds a predetermined threshold (see fig. 8; see P [0035]).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, 4-6, 8-11, 13-24, 26, 27, 30-47, 49-55 and 57-61 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD TORRENTE whose telephone number is (571) 270-3702. The examiner can normally be reached on M-F: 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard Torrente/
Examiner, Art Unit 2621

/Young Lee/
Primary Examiner, Art Unit 2621

RT